

3-21-01

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**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.  
BEAR-006CIP

PTO

Total Pages in this Submission  
64**TO THE ASSISTANT COMMISSIONER FOR PATENTS****Box Patent Application  
Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**"Integrin Binding Motif Containing Peptides and Methods of Treating Skeletal Diseases"**

and invented by:

**Yoshinari Kumagai, Russel Blacher and Toshiyuki Yoneda**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/641,034

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 33 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications *(if applicable)*
  - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
  - d. ☐ Reference to Microfiche Appendix *(if applicable)*
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings *(if drawings filed)*
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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**64**

**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a. ☐ Formal      b. ☒ Informal      Number of Sheets 6
4. ☒ Oath or Declaration  
a. ☐ Newly executed *(original or copy)*      ☒ Unexecuted  
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c. ☒ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☒ Genetic Sequence Submission *(if applicable, all must be included)*  
a. ☒ Paper Copy  
b. ☒ Computer Readable Copy  
c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing  
☐ First Class      ☒ Express Mail *(Specify Label No.):* EL 563 388 639 US

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(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
**BEAR-006CIP**

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**63**

**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17. ☒ Additional Enclosures *(please identify below)*:

Fee Transmittal in duplicate (2 pages), Initial Application Data Sheet (2 pages)

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
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**63**


**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	13	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	1	- 3 =	0	x \$40.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$355.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$355.00

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below
- ☒ Charge the amount of **\$355.00** as filing fee.
  - ☒ Credit any overpayment.
  - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **March 19, 2001**

  
Signature

Paula A. Borden, Reg. No. 42,344  
Bozicevic, Field & Francis LLP  
200 Middlefield Road, Suite 200  
Menlo Park, California 94025  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231

CC:

# FEE TRANSMITTAL

Note: Effective October 1, 1998.  
Patent fees are subject to annual revision.

CUSTOMER NO.	24353
Attorney Docket Number	BEAR-006CIP
Confirmation Number	Unassigned
First Named Inventor	Kumagai et al.
Application Number	Unassigned
Filing Date	Herewith (March 19, 2001)
Group Art Unit	Unassigned
Examiner Name	Unassigned

## METHOD OF PAYMENT

- ☒ The Undersigned hereby asserts that Applicants are entitled to Small Entity Status as defined under 37 CFR § 1.27.
- ☒ The Commissioner is hereby authorized to charge the following and any additional fees including fees required under 37 CFR 1.16 and 1.17 and credit any overpayments to: Deposit Account No. 50-0815.

Deposit Account Name: Bozicevic, Field & Francis LLP

## FEE CALCULATION

### 1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
101	710	201	355	Utility filing fee	\$355.00
102	320	206	160	Design filing fee	
104	490	207	245	Plant filing fee	
109	710	208	355	Reissue filing fee	
110	150	214	75	Provisional filing fee	
Subtotal (1)					\$355.00

### 2. CLAIMS

<u>No. of claims as filed or after amendment</u>			<u>Most claims previously paid</u>		<u>Extra claims</u>		<u>Fee from below</u>		<u>Fee Due</u>
Total claims	13	-	20	=	0	x	\$9.00	=	\$0.00
Ind. claims	1	-	3	=	0	x	\$40.00	=	\$0.00
Multiple Dependent claims						x		=	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of and over original patent
Subtotal (2)\$0.00				

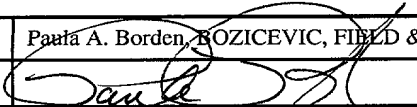
### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification		147	2,520	147	2,520	Filing a request for reexamination	
115	110	215	55	Ext. for reply within first month		116	390	216	195	Ext. for reply within second month	
117	890	217	445	Ext. for reply within third month		118	1,390	218	695	Ext. for reply within fourth month	
128	1,890	228	945	Ext. for reply within fifth month		119	310	219	155	Notice of Appeal	
120	310	220	155	Filing brief in support of appeal		121	270	221	135	Request for oral hearing	
140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)		122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to prov. appl.		126	180	126	180	Submission of IDS	
146	710	246	355	Filing submission after final rejection (37 CFR 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee	
581	40	581	40	Recording patent assignment		Other fee (specify)					

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)\$0.00

TOTAL AMOUNT TO BE CHARGED (\$355.00)

SUBMITTED BY					Complete (if applicable)	
Typed or Printed Name	Paula A. Borden, BOZICEVIC, FIELD & FRANCIS LLP				Reg. Number	42,344
Signature					Deposit Account	50-0815
Date	March 19, 2001					

3 - 21 - 01

Box 5EQ

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**  
Applicant(s): Yoshinari Kumagai, Russel Blacher and Toshiyuki Yoneda

Docket No.  
**BEAR-006CIP**

Serial No. Unassigned	Filing Date Herewith (March 19, 2001)	Examiner Unassigned	Group Art Unit Unassigned
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03/19/01  
JC90 U.S. PTO

Invention:  
**"Integrin Binding Motif Containing Peptides and Methods of Treating Skeletal Diseases"**

I hereby certify that the following correspondence:

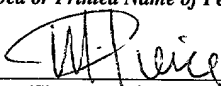
Utility Patent Application consisting of: Utility Patent App. Trans. (4 pgs.), Fee Trans. in duplicate (2 pgs.), Initial Information Data Sheet (2 pgs.), Specification (33 pages), Drawings (6 sheets), Declaration/Power of Attorney (4 pgs.), Sequence Listing (11 pgs.), Certification regarding Sequence Listing (1 page), One Diskette of Sequence Listing, Return Receipt Postcard

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

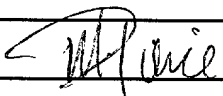
March 19, 2001  
*(Date)*

Margaret D. Pierce  
*(Typed or Printed Name of Person Mailing Correspondence)*

  
*(Signature of Person Mailing Correspondence)*

EL 563 388 639 US  
*("Express Mail" Mailing Label Number)*

**Note: Each paper must have its own certificate of mailing.**

EXPRESS MAIL CERTIFICATE			
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name	Margaret D. Pierce	Express Mail No.	EL 563 388 639 US
Signature		Date	March 19, 2001

<p align="center"><b>CERTIFICATION REGARDING SEQUENCE LISTING</b></p> <p>Address to: <b>BOX PATENT APPLICATION</b> Assistant Commissioner for Patents Washington, D.C. 20231</p>	Customer Number	24353
	Attorney Docket	BEAR-006CIP
	First Named	Kumagai et al.
	Application Number	Unassigned
	Filing Date	Herewith (March 19, 2001)
	Group Art Unit	Unassigned
	Examiner Name	Unassigned
	Title: "INTEGRIN BINDING MOTIF CONTAINING PEPTIDES AND METHODS OF TREATING SKELETAL DISEASES"	

U.S. PAT. & TM. OFF.  
09/812485  
03/19/01

Sir:

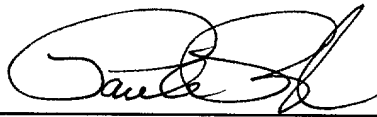
I hereby certify that the enclosed Sequence Listing is being submitted in paper copy and on a computer-readable diskette, and that the content of the paper and computer readable copies are the same.

I hereby also certify that the enclosed submission includes no new matter.

Applicants believe that no fee is due in connection with the filing of this paper. However, the Commissioner is hereby authorized to charge any fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: March 19, 2001

By:   
Paula A. Borden  
Registration No. 42,344

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